

LAX & NEVILLE, LLP
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Attorneys for Creditor Rose Less

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

-against-

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.
-----X

: Dist. Ct. Docket No.
: 08 CV 10791 (LLS)
:

: Adv. Pro. No. 08-01789
: (BRL)
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: **ECF CASE**
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**NOTICE OF APPEARANCE AND
DEMAND FOR SERVICE OF DOCUMENTS**

PLEASE TAKE NOTICE that the undersigned appears in the above-captioned case on behalf of Rose Less, creditor and party-in-interest, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure and section 1109(b) of the Bankruptcy Code, and demands that all notices given or required to be given and all papers served in this case be delivered to and served upon the parties identified below at the following address:

LAX & NEVILLE, LLP
1412 Broadway, Suite 1407
New York, NY 10018
Attn: Barry R. Lax
E-mail: blax@laxneville.com

PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in

the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in this case.

This Notice of Appearance and any subsequent appearance, pleadings, claim or suit are not intended nor shall be deemed to waive Creditor's: (i) rights to have final orders in non-core matters entered only after de novo review by a district court judge; (ii) right to trial by jury in any proceeding so triable herein and any case, controversy or proceeding related hereto; (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; and (iv) other rights, claims, actions, defenses, setoffs or recoupments to which Creditor is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

Dated: New York, New York
February 12, 2009

LAX & NEVILLE, LLP

/s/ Barry R. Lax
Barry R. Lax, Esq. (BL 1302)
1412 Broadway, Suite 1407
New York, NY 10018
Tel: (212) 696-1999
Attorneys for Creditor Rose Less

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES INVESTOR PROTECTION :
CORPORATION, :

Plaintiff, :

-against- :

BERNARD L. MADOFF INVESTMENT :
SECURITIES, LLC, :

Defendant. :

Dist. Ct. Docket No.
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ECF CASE

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CERTIFICATE OF SERVICE BY ELECTRONIC MEANS

I, Barry R. Lax, one of the attorneys for Rose Less, hereby certify that on February 11, 2009, service of the foregoing Notice of Appearance and Demand for Service of Documents was accomplished pursuant to ECF as to Filing Users and that I shall comply with Bankr. S.D.N.Y. R. 2002-1 as to the parties listed below and serve via First-Class Mail.

Office of the United States Trustee
33 Whitehall Street, Suite 2100
New York, NY 10004

Dated: New York, New York
February 12, 2009

/s/ Barry R. Lax
Barry R. Lax